

Application Serial No. 10/086,805

REMARKS/ARGUMENTS

Claims 1-20 are pending. Of these, claims 1-6 and 9-11 are withdrawn from consideration pursuant to a restriction requirement, with claims 7-8 and 12-16 elected in Applicant's response. Claims 17-20 are new.

The claims stand rejected as follows:

Claims	Rejection
7-8, 12-16	35 U.S.C. 112, second paragraph
7-8, 12-16	35 U.S.C. 102(b) as anticipated by Hollis (US 5,846,708)
7-8, 12-16	35 U.S.C. 103(a) as obvious over Hollis (US 5,846,708) in view of Atwood et al (US 5,602,756)

All rejections are thus respectfully traversed.

The foregoing amendments are believed to overcome the rejections under Section 112 and clarify the claims.

With regard to the rejection of independent claim 7 (and its dependent claims 8 and 12-16) based on Hollis et al (US 5,846,708), it is noted that Hollis et al does not describe or suggest the claimed invention, as amended, which requires the specified sensor.

Turning to new claim 20, the claimed method requires that the integrated array sensor and the detection step enable detection of the electrical signals produced on the test sites in the absence of any external application of external electrical signals to the test sites to determine which probes have interacted with an associated target molecular structure (such as described on page 16 of the specification). As will be noted, the device of Hollis et al applies electrical signals to the test sites in order to determine which probes have bonded to an associated target molecular structure (See, e.g., Abstract).

Accordingly, allowance of claims 7-8 and 12-20 is respectfully requested.

Applicant does not intend to surrender any range of equivalents under the Doctrine of Equivalents in regard to any claim limitation that appears in the final claims in any patent that may issue from this or any related application. Applicant expressly reserves the right to resort to the Doctrine of Equivalents for all limitations in regard to any future assertion of infringement of any claim, whether the limitation was present in an original claim or added by amendment a claim to or referenced in any argument to distinguish any claim from any prior art. All claims in any patent issued from this or any related application represent a statutorily presumed valid and patentable combination of structure and/or steps,

Application Serial No. 10/086,805

and it is this combination which is presumed to patentably distinguish from the prior art, not any particular limitation of any claim.

Reconsideration and issuance of a notice of allowance is requested. In the event this response is not timely filed, Applicant hereby encloses a petition for the appropriate extension of time and request that the fee for the extension along with any other fees which may be due with respect to this paper be charged to our **Deposit Account No. 12-2355.**

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By: 

Robert O. Fox
Registration No. 34,165

August 10, 2004
P.O. Box 1871
Knoxville, Tennessee 37901
(865) 546-4305

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent & Trademark Office to: Fax # (703) 872-9306, Attn: Examiner Nelson C. YANG, Group Art Unit 1641 on the date shown below.

Date: August 10, 2004


Robert O. Fox, Reg. No. 34,165